

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

2007 JUN 22 PM 3:27
CLERK
U.S. DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

VEHICLE IP, LLC,

Plaintiff,

v.

GENERAL MOTORS CORPORATION,
ONSTAR CORPORATION,
VERIZON COMMUNICATIONS, INC.,
CELLCO PARTNERSHIP,
NETWORKS IN MOTION, INC.

Defendants.

Civil Case No. **07 C 0345 S**

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Vehicle IP, LLC files this Complaint and demand for jury trial seeking relief for patent infringement by the Defendants. Vehicle IP, LLC states and alleges the following:

THE PARTIES

1. Plaintiff Vehicle IP, LLC ("VIP") is a Delaware limited liability company, having its principal place of business at 3150 Lennox Park Boulevard, Suite 108, Memphis, Tennessee, 38115.

2. VIP is an intellectual property management company that is a wholly-owned by Memphis-based Vehicle Safety & Compliance, LLC ("VSAC"). VSAC is a transportation technology company that develops technological solutions principally for the trucking and automotive sectors. VIP owns a broad, international portfolio of patents which were acquired to complement its operating companies and technology development.

3. Defendant General Motors Corporation (“GM”) is a corporation organized and existing under the laws of the state of Delaware, with its principal place of business at 300 Renaissance Center, Detroit, Michigan 48265.

4. Defendant OnStar Corporation (“OnStar”) is a corporation organized and existing under the laws of the state of Delaware, with its principal place of business at 400 Renaissance Center, Detroit, Michigan 48265.

5. Defendant Verizon Communications Inc. is a corporation organized and existing under the laws of the state of Delaware, with its principal place of business located at 140 West Street, New York, New York 10007.

6. Defendant Cellco Partnership, d/b/a as Verizon Wireless, is a partnership organized and existing under the laws of the state of Delaware, with its principal place of business located at 1 Verizon Way, Basking Ridge, New Jersey 07920. Verizon Wireless is a joint venture between Verizon Communications Inc. and Vodafone Group PLC, with Verizon Communications owning 55% of Verizon Wireless. Verizon Communications Inc. and Cellco Partnership are collectively referred to as the “Verizon Defendants.”

7. Defendant Networks in Motion, Inc. is a corporation organized and existing under the laws of the state of Delaware, with its principal place of business located at 6A Liberty, Aliso Viejo, California 92656.

JURISDICTION AND VENUE

8. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. This Court has personal jurisdiction over each of the Defendants because each Defendant regularly conducts business in the state of Wisconsin and therefore has substantial and continuous contacts within this judicial district; because each Defendant has purposefully availed itself to the privileges of conducting business in this judicial district; and/or because each Defendant has committed acts of patent infringement in this judicial district.

10. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b).

COUNT I
(Patent Infringement)

11. VIP restates and realleges the preceding paragraphs of this Complaint.

12. On March 18, 2003, United States Patent No. 6,535,743 (“the ‘743 patent”) entitled “System and Method for Providing Directions Using a Communication Network” was duly and legally issued by the United States Patent and Trademark Office. VIP owns the ‘743 patent. A true and correct copy of the ‘743 patent is attached as Exhibit A.

13. Defendants GM and OnStar have made, used, sold, and offered for sale and are currently making, using, selling, and offering for sale a turn-by-turn navigation service. Through these activities, Defendants GM and OnStar have been infringing, actively inducing others to infringe, and/or contributing to the infringement of the ‘743 patent.

14. Defendant Networks in Motion, Inc. and the Verizon Defendants have made, used, sold, and offered for sale and are currently making, using, selling, and offering for sale a turn-by-turn navigation service, including, but not limited to, a service under the name VZ Navigator. Through these activities, Defendant Networks in Motion, Inc. and the Verizon Defendants have been infringing, actively inducing others to infringe, and/or contributing to the infringement of the ‘743 patent.

15. Upon information and belief, Defendants are infringing the '743 patent with knowledge of the patent, and thus Defendants' infringement is willful.

16. Upon information and belief, Defendants will continue to infringe the '743 patent unless and until they are enjoined by this Court.

17. The Defendants have caused and will continue to cause VIP irreparable injury and damage by infringing the '743 patent. VIP will suffer further irreparable injury, for which it has no adequate remedy at law, unless and until Defendants are enjoined from infringing the '743 patent.

PRAYER FOR RELIEF

WHEREFORE, VIP respectfully request that this Court:

- (1) Enter judgment that Defendants have infringed the '743 patent;
- (2) Enter an order permanently enjoining Defendants and their officers, agents, employees, attorneys, and all persons in active concert or participation with any of them, from infringing the '743 patent;
- (3) Award VIP damages in an amount sufficient to compensate it for Defendants' infringement of the '743 patent, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- (4) Treble the damages awarded to VIP under 35 U.S.C. § 284 by reason of Defendants' willful infringement of the '743 patent;
- (5) Declare this case to be "exceptional" under 35 U.S.C. § 285 and award VIP its attorney fees, expenses, and costs incurred in this action; and
- (6) Award VIP such other and further relief as this Court deems just and proper.

JURY TRIAL DEMAND

VIP demands a jury trial on all issues so triable.

Dated: June 22, 2007

AXLEY BRYNELSON, LLP

By: 
Michael J. Modl
2 East Mifflin Street
Madison, WI 53703
Tel. (608) 257-5661

Michael J. Kane
William R. Woodford
FISH & RICHARDSON P.C.
3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, MN 55402
Tel: (612) 335-5070
Fax: (612) 288-9696

Attorneys for Plaintiff
VEHICLE IP, LLC

60435017.doc